

Protective Order Committee
Judicial Conference of Indiana

Minutes
April 22, 2005

The Protective Order Committee met at the Indiana Judicial Center on Friday, April 22, 2005 from 12:00 noon – 3:00 p.m.

1. Members present. Tammy Baitz, George E. Brown, Linda E. Brown, John W. Forcum, J. Douglas Knight, Christina J. Miller, and Thomas H. Busch, Chair
2. Staff present. Jeffrey Bercovitz and Tom Jones provided the committee with staff assistance.
3. Minutes. The minutes for March 24, 2005 were approved.
4. Guests. Kelly Dignin and Vivian Nowaczewski, Indiana State Police, also attended the meeting.
5. Best practices for protection orders.
 - a. Committee members reviewed the best practice summary for Ques. 7 and 8b. from the protection order survey. See Attachment No. 1. They agreed to entitle the section as “practice tips.” Each member agreed to revise his or her best practice summary using this attachment as a model.
 - b. Members of the committee agreed by consensus to place the practice tips on the website and as the last page of the deskbook section where they relate to the subject matter.
 - c. Committee members agree to review the survey of their assigned section and determine practice tips based on the survey question previously assigned. The most important practice tip should be listed first. In addition, they agreed to look at the related deskbook section to see if there are items that need to be changed, or if items were left out. They agreed to resubmit their homework.
6. Review of revised forms. Committee members reviewed and revised the following forms:
 - a. Proposed NCO - 0105 - No Contact Order Supplement to Cover Sheet, added a page number on the bottom by consensus.
 - b. Proposed NCO - 0106 - No Contact Order Supplement To Confidential Form For Multiple Protected - added page number and revised text. Judge Knight moved the committee accept these changes. Judge Forcum seconded the motion. The motions passed, 4 yes, 1 no, 1 abstain. The committee noted this form is for protected parties under the no contact order only, no family members of protected parties.
 - c. Cover Sheet for PO, NCO and WVRO - The cover sheet was revised after consideration of Senior Judge Ruth Reichard’s comments.
7. Next meeting.
 - a. Committee members agreed to review best practice drafts and place in the same format as the attachment to the minutes:

Sample notices, cards and pamphlets	Ques. 7 & 8b.	Judge Knight
Issuance of Ex Parte Order, then transfer	Ques. 13 & 15	Judge Busch
Procedures for weapons, visitation, possession of residence and personal property	Ques. 16	Judge Hammel
Delivery of Protection Order to Sheriff for service	Ques. 17 & 18	Magis. Lybrook

- b. Members of the committee agreed to review all forms previously submitted with their proposed revisions in a format reviewed by Lindsey Borschel and ready for placement on the Protection Order website.
- c. Committee members agreed to review the questions submitted by Judge Monroe; the Pike Township Small Claims Court; and Judge Detamore about including a dismissal of an underlying protection order on PO-0108 and PO-0109 at the next meeting.
- d. Future meetings: Friday, June 24, 2005; July 22, 2005; and August 26, 2005; all from 12:00 noon – 3:30 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law

Clerk's Office – Practice Tips

What assistance may the Clerk provide the petitioner under Ind. Code § 34-26-5-3-(d)?

Distribution of Protection Order forms

Give information about court procedures in hearing protection order cases.

Referral to victim services, which may assist in completion of the forms or in representation of the petitioner.

Answer nonlegal questions about the completion of the forms

Assist the petitioner in understanding and completing the forms

Referral to the law library if appropriate materials are available.

Referral to emergency assistance.

Referral to Attorney General address confidentiality program under Ind. Code § 5-26.5.

Note: Question 7 and 8b. of survey

Attachment No. 1